

GEORGE W. WALTON.

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JANUARY 29, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. CROWTHER, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany S. 3196.]

The Committee on Invalid Pensions, to whom was referred the bill (S. 3196) granting an increase of pension to George W. Walton, having considered the same, adopt the report of the Senate Committee on Pensions, and recommend the passage of the bill.

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[Senate Report No. 1185, Fifty-fourth Congress, second session.]

The Committee on Pensions, to whom was referred the bill (S. 3196) granting a pension to George W. Walton, have examined the same, and report:

The bill proposes to increase to \$30 per month the pension of George W. Walton, late a private of Company I, Second United States Light Artillery, Company G, Seventh Maryland Infantry, and a sergeant of Company C, Third Veteran Reserve Corps. The petitioner now receives \$12 per month by certificate 727589, under the act of June 27, 1890.

A brief history of petitioner's service and disability appears in his letter hereto attached (Exhibit A), made a part of this report.

The records of the War Department show that Mr. Walton entered the service February 4, 1861, under a three years' enlistment in the Regular Army, and that very shortly after expiration of said term of service he entered the volunteer forces and honorably served therein until August 1, 1865, thus covering the entire period of hostilities.

It is shown by the files of the Pension Bureau that in August, 1865, the same month of his discharge, he filed an application for pension for disability due to exposure. This application was renewed in 1888, and a supplemental declaration filed, setting forth specifically the basis of his claim, and since said date considerable testimony has been filed tending to corroborate his allegation as to having contracted rheumatism, disease of heart, and diarrhea while in the service; medical examinations by boards of United States surgeons in 1888 and 1891 disclose a ratable degree of disability from each of said diseases, but favorable action on the pending general-law claim is indefinitely suspended, because of petitioner's inability to meet the requirements of the Pension Bureau as regards origin and continuance to 1888; and so long as these requirements stand this claim may be practically regarded as rejected.

During 1862-63 this soldier was a prisoner of war for about twelve months, and to the hardships and exposure to which then subjected he reasonably attributes his alleged disabilities; further, the hospital records show him treated for diarrhea and also for fever while yet in the service, and the history of the case affords all the conditions necessary for the development of rheumatism and resulting disease of heart, although his transfer to the Veteran Reserve Corps was because of epilepsy.

Taking into consideration the fact that this petitioner immediately asserted title to pension (having filed in 1865), that his allegations are partly corroborated by the hospital records, and fully borne out by the general history of the case, your committee is of the opinion that the disabilities claimed for had their origin in the service and in line of duty. However, the lapse of time, the roving life of the

petitioner, and long separation from, and in some instances death of, former associates, render it impossible for him to now establish his claim under the general law.

As to the rate of pension proposed in this bill, reliance is placed upon the certificate of Dr. Dalby, attending physician (made in March, 1894, Salt Lake City, Utah), which shows petitioner a man of 76 years of age and wholly incapacitated for manual labor by reason of chronic rheumatism. Dr. Gardiner, same post-office address, testified similarly in March, 1894, and expressed the opinion that Mr. Walton would never again be able to perform manual labor. It will thus be noted that if the rheumatism were of conceded service origin, the rate called for by this bill would be only commensurate with the existing degree of disability; and, indeed, if said disability were conceded due to the service, a large amount of arrears would be due petitioner upon allowance under the general law.

Considering the long and faithful service of this soldier, his year's experience in rebel prisons, his prompt assertion of right to pension, his present age and deplorable physical condition, and the fact of very many precedents of favorable action in claims presenting features less strong than this, your committee recommend the passage of this bill.

#### EXHIBIT A.

SALT LAKE CITY, UTAH, April 2, 1896.

HON. FRANK J. CANNON, *United States Senator*,  
HON. ARTHUR BROWN, *United States Senator*, and  
HON. C. E. ALLEN, *Member of Congress*,  
Washington, D. C.

DEAR SIRS: I have a claim on file in the Pension Office, at Washington, for a pension as an invalid since 1863 or 1867, and have from time to time furnished all the additional evidence I have been able to find, but the witnesses from whom the Commissioner seems to desire evidence are dead.

I enlisted on the 4th of February, 1861, in Chatham street, New York City, and was examined by a regular board of physicians and surgeons. Thirty-five of us were examined on that day, and of that number only five were passed and finally accepted, who were sent over to Governors Island, New York Harbor.

In the month of April, 1861, I was assigned to the Second United States Artillery and sent to Fort Pickens, Fla., and after the sieges we crossed over and took possession of Forts Barancas, Warrington, and Wolsey, and the navy-yard. Shortly after that we had a battle, known as that of "Melton River," in which I was taken prisoner of war, and held as such for thirteen months in Andersonville.

At the time I was captured my weight was 190 pounds, while at my release I weighed but 130 pounds, and could not walk without the aid of two canes.

I was finally sent to the headquarters of my regiment, which was at Fort McHenry, Baltimore, Md., and remained there until the expiration of my term of service, which was on February 4, 1864. On the 27th of February, 1864, I enlisted in Company G, Seventh Regiment Maryland Volunteers, to serve three years, or to the conclusion of the war.

My health became so impaired from the effects of my prison life that, after the hard marches and hard fighting from the "Wilderness" to the front of Petersburg, I was taken so bad with malarial fever, and was sent to Emory Hospital, in Washington. From there I was transferred to Company E, Third Veteran Reserve Corps, known as the "Invalid Corps," from which I was discharged in August, 1865, by General Orders, No. 116, Adjutant-General's Office.

On January 17, 1865, at Augusta, Me., while holding the rank of sergeant, my claim was filed in the Pension Department as No. 85779. From this you can readily see that the fact of my being transferred to the "Invalid Corps" is *prima facie* evidence that my disability occurred while I was in the Army.

I am now in my eightieth year; was 45 when I enlisted, and was in perfect health. I am unable to do any manual labor, and have only the very little which I am able to earn. I have a small home here in Salt Lake, but, having to pay \$13 a month interest on the same, I am fearful that if something is not soon done for me I will lose my home, and my wife and myself thrown on the cold resources of an uncharitable world.

If you can do anything with the old claim I trust you will do so at your earliest convenience. If not, I hope you will try to get me a pension by special legislation.

Hoping to hear soon from you, I remain, obediently,

GEO. W. WALTON.